

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 7th day of June, 2004.

Typed or Printed name of person signing this certificate:

Pamela A. Docherty

Customer Number

24024

Signed: Pamela A. Docherty

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kaumaya, et al.

Serial No.: 09/632,036

Filed: August 3, 2000

For: **POLYPEPTIDES AND
POLYNUCLEOTIDES FOR
ENHANCING IMMUNE REACTIVITY
TO HER-2 PROTEIN**

Examiner: Rawlings, Stephen L.

Art Unit: 1642

Confirmation No.: 9722

Attorney Docket No.: 18525/04011

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement mailed May 5, 2004, Applicants hereby elect Group I, Claims 1, 3-9, 11-20 and 31 insofar as the claims are drawn to a composition comprising a chimeric peptide. With respect to the election of species for claim 1, Applicants elect the HER-2 B cell epitope of SEQ ID NO. 6. With respect to the Th epitope of claims 4 and 13, Applicants hereby elect SEQ ID NO. 17. With respect to the linker sequence, Applicants hereby elect SEQ ID NO. 20. With respect to the multivalent chimeric peptide of claim 6, applicants hereby elect the Her 2 B cell epitopes of SEQ ID NO 6 and SEQ ID NO 42. The election is without traverse.

Respectfully submitted,

Date: June 7, 2004

By: Pamela A. Docherty

Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

24024

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TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Transmitted herewith are the following:

1. Response to Restriction Requirement;
2. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: June 7, 2004

By: Pamela A. Docherty

Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416